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Laurie Green, M.D.
Vice President

Edward A. Chow, M.D.
Commissioner

Susan Belinda Christian, J.D.
Commissioner

Cecilia Chung
Commissioner

Suzanne Giraud ED.D
Commissioner

Tessie M. Guillermo
Commissioner

**HEALTH COMMISSION
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MINUTES

JOINT MEETING OF THE HEALTH COMMISSION AND PLANNING COMMISSION

**Tuesday May 11, 2023, 10am
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102 & Via Webex**

1) CALL TO ORDER

Health Commissioners Present:

Commissioner Dan Bernal
Commissioner Edward A. Chow M.D., President
Commissioner Susan Belinda Christian, J.D.
Commissioner Tessie Guillermo

Excused:

Commissioner Cecilia Chung
Commissioner Suzanne Giraud, Ph.D
Commissioner Laurie Green, MD, Vice President

Planning Commissioners Present:

Commissioner Rachael Tanner
Commissioner Kathrin Moore
Commissioner Derek Braun
Commissioner Sue Diamond
Commissioner Theresa Imperial
Commissioner Joel Koppel

Excused:

Commissioner Gabriella Ruiz

Planning Commission President, Rachael Tanner called the meeting to order at 10:01am

2) CALIFORNIA PACIFIC MEDICAL CENTER (CPMC) ANNUAL COMPLIANCE STATEMENTS – Joint Informational Hearing of the Planning and Health Commissions to review and comment on CPMC’s Annual Compliance Statement for 2021 and the City’s Report on CPMC’s Compliance Statement, in accordance with Section 8.2 of their Development Agreement with the City and County of San Francisco.

Elizabeth Purl, Planning Department; Iftikhar Hussain, Health Services; Lowell Rice, Office of Economic and Workforce Development; and Max Gara, DPH; presented the item.

Public Comment:

Billy Jean Wall stated that she and other community members no longer are benefiting from the Sutter Davies campus warm pool aquatic exercise program, which was provided for three decades. All previous community users are now suffering without the benefit of warm water exercise. Users previously needed a form filled out by a physician to explain why they could benefit from the program. CPMC/Sutter would then have to notify someone if they were accepted and there were spaces available in classes. Physical therapists were instructors; there were 5 classes offered daily as part of the Davies physical therapy department. Sutter cancelled these services without a good explanation.

Dr. Teresa Palmer was a physician and St. Luke’s hospital. She urged that the two Commissions choose to extend the CPMC monitoring for another 10 years because Sutter has an ongoing pattern of maximizing profit while shorting services that benefit the most vulnerable populations. She feels that in the past the City has found CPMC compliant when it has not been compliant. Sutter violated the Development Agreement by closing the Mission/Bernal campus labor and delivery with no notice. Sutter lied about the Davies warm pool use to avoid a Prop. Q hearing. Sutter is not participating in funding new skilled nursing and subacute beds.

Doria Rivera, sister of a subacute patient transferred from the St. Luke’s Hospital subacute unit to the Davies Hospital unit. Many families have to deal with a loved one being sent to a facility far away due to the lack of subacute beds in San Francisco. These families are not sure when they will see their loved ones again. San Francisco deserves better than this. She is scared that there are no permanent subacute beds in San Francisco. How is it that you house thousands of homeless people but not fund 75 subacute beds in the county. She urged the Commissioners to take steps to ensure San Francisco has subacute beds.

Melanie stated that Sutter has closed many services over the years; the warm pool closure at Davies is the most recent closure. Sutter has closed skilled nursing beds and a residential unit at the same time other hospitals are closing necessary services too. There is no place in San Francisco for people in need of beds, especially older women. The reduction and closure of necessary services is appalling.

Tony Rivera, brother of a subacute patient transferred from the St. Luke’s subacute unit to the Davies unit, stated that he supports a 10-year extension of the CPMC monitoring. CPMC lied about the closure of the Labor and Delivery unit. There needs to be a revision to the Development Agreement because CPMC is not having to pay a penalty for their actions.

Commissioner Comments:

Commissioner Bernal noted that CPMC is unable to provide data on new NEMS patients related to the requirement to partner to create a new primary medical practice in the Tenderloin. He asked for more information on the plan to determine the number of new patients and the plan to meet the requirement of the Development Agreement. Mr. Gara stated that the DPH will follow-up with CPMC to ascertain this data.

Commissioner Bernal asked is St. Anthony’s part of the NEMS Tenderloin clinic. Mr. Gara stated that CPMC does not currently have a partnership with St. Anthony’s but is hoping to re-partner with the organization. Kate Weiland, CPMC Manager of Community Health Programs, stated that the Development Agreement states

that if no new MSO is started before 2015, then there is nothing more required of CPMC regarding this goal. CPMC has partnered with NEMS for a long time. About 8% of the 4,500 NEMS patients, or 300 people, are new Tenderloin patients. CPMC could not meet the MSO requirement because there was no MSO in the Tenderloin available. CPMC attempted to partner with St. Anthony's but it was not fiscally feasible. CPMC continues to talk with St. Anthony's because it is committed to serving patients in the Tenderloin.

Commissioner Christian, noting that she is somewhat new to the Development Agreement review process, asked for confirmation that the Development Agreement stipulates that if there is no MSO created by 2015, then there is no need for CPMC to enroll 1,500 Tenderloin residents in primary care services. Ms. Weiland stated that CPMC attempted to create a new MSO with St. Anthony's but it was not possible due to their organization's infrastructure issues. CPMC did partner with NEMS. Commissioner Christian encouraged CPMC to all it can do to create services in the Tenderloin.

Commissioner Christian stated that it is her understand that CPMC's position is that the Davies pool is not designated as a medical service. Melissa White, CPMC Bay Area Government Affairs Director, stated that the Davis pool is not closed permanently; the lift and pump are broken, and the pool is expected to be repaired and reopened in August or September for 1-to-1 therapy, but not for community use. Commissioner Christian asked if the pool was designed for community use, since it was previously accessed by the community. Ms. White stated that the pool is now designated for 1-to-1 therapy.

Commissioner Christian stated that San Francisco has an emergency in regard to a lack of subacute beds; she is concerned about residents getting necessary services where they live. She noted that patients in the Sutter network would have to go out of county for subacute services. Ms. Weiland stated that Sutter/CPMC has been working with the City regarding the best way to support the creation of these beds; there needs to be a city-wide solution. Commissioner Christian stated that as a San Francisco resident and Health Commissioner, she urged Sutter to use all resources to help develop these beds.

Commissioner Guillermo asked for an explanation why a timeline to reopen the Mission/Bernal campus labor and delivery services has not been developed and shared. Ms. Weiland stated that Sutter has continued providing outpatient services and intends to contact the DPH after this meeting to discuss the reopening of these services.

Commissioner Guillermo asked if the Mission/Bernal campus Center of Excellence community advisory board going to resume. Ms. Weiland stated that the board is returning to meeting in person at least twice a year. Commissioner Guillermo asked what languages are provided by staff. Ms. Weiland stated that services are currently offered in Spanish and English; she noted that no other languages have been identified as a huge need. She added that Sutter/CPMC offers interpreter services in any language. Commissioner Guillermo encouraged CPMC to not wait until there is an issue with language access to proactively ascertain if other languages are needed.

Commissioner Braun asked for an update on the plaza at Guerrero and San Jose streets. Ms. Purl stated that there was a lengthy community design process; there has also been a number of changes in regard to the City's requests. The Planning Department anticipates the permit approval moving forward quickly and construction to begin later this year.

Commissioner Braun asked if there are updates to the number of Sutter employees participating in the transit program. Vahram Massehian, Sutter Health, stated that Sutter will hold four transit fairs and has beefed up the intranet home page where employees can get transit information. It will be a number of years to get back to the pre-pandemic transit goals. Commissioner Braun stated that post pandemic, it is important to meet the Development Agreement goals and encouraged Sutter to redouble all efforts.

Commissioner Tanner asked if onboarding of new staff includes information on transit program options. Mr. Massehian stated that orientation does include information on commute options and benefits afforded to pay for transit, along with other subsidy programs and tax benefits. Sutter offers a shuttle from BART and CalTrans. He noted that it is more difficult to create an environment for people to feel safe to ride transit for those working on the evening and night shifts.

Commissioner Diamond shares concern about the lack of information on the reopening of the labor and delivery unit at the Mission/Bernal campus. She added that it is critical for moms to have these services nearby. She asked if the City is relying on the good graces of CPMC to reopen these services or is there a DA requirement for this service to reopen. Mr. Gara stated that under the DA, CPMC is required to provide a set of services at each campus and can shift and change services but must give a 6 month notice of any change. In 2020, the City found Sutter non-compliant due to lack of notice for the temporary closure of the labor and delivery unit. Commissioner Diamond does not understand why CPMC would be found compliant in any year in which these services do not reopen.

Commissioner Diamond asked for more information regarding the DA goal of reducing single occupant vehicle use. Mr. Massehian, stated that they have initiated programs around transit use, and discouraged driving and parking at the hospital. Sutter has conducted a survey and analysis each year. Sutter is not obligated to achieve this goal until 2024. He noted that the pandemic has impacted their effectiveness on achieving this goal. Ms. Purl stated that if Sutter does not meet the goal, the City would find Sutter non-compliant. Commissioner Diamond asked if the DA could be modified to track this issue. Austin Yang, Deputy City Attorney, stated that any change to the DA would have to be approved by the Board of Directors.

Commissioner Chow noted that CPMC did not properly announce the closure of the labor and delivery unit by participating in a Prop. Q hearing at the Health Commission. This type of hearing enables the Health Commission to make a statement regarding whether the closure would be detrimental or not detrimental to the health of the Community. He noted the unit was closed two years ago and requested a timeline of when the service will be reopened or closed. He noted the importance of understanding that adequate staff with enough of a caseload to maintain high quality practice. He agrees with Commissioner Diamond that it does not make sense for CPMC to be found in compliance when they have offered no information regarding the plans for this important service.

Commissioner Chow stated that only holding advisory meetings for the Center of Excellence once per year does not allow adequate follow-up on issues discussed at the meeting. He encouraged CPMC to consider having this group meet more frequently and looks forward to future updates on this issue.

Commissioner Chow complimented CPMC on the CLAS report, noting it has put the necessary effort into the Clas standards.

Commissioner Chow encouraged CPMC to continue working with the City on funding to create subacute services. This is an opportunity for all hospitals to determine how to keep patients needing these services in San Francisco.

Commissioner Moore stated that the transportation management plan must continue beyond the DA. She rarely sees anyone get off the bus on Van Ness at CPMC. She stated that CPMC's obligation to fund primary care in the Tenderloin has not diminished, noting the importance of the spirit of the DA.

Commissioner Imperial stated that she agrees with many other Commissioner statements regarding how CPMC may be technically compliant but are falling short on what the community really needs. She is encouraged to hear that CPMC will be reaching out to the DPH regarding the labor and deliver unit and

encourages CPMC to be transparent. She also asked for more information regarding why it is not fiscally feasible to open a new primary care practice in the Tenderloin.

Commissioner Christian asked if there is a breakdown by neighborhood on hiring within the City Build initiative. Ms. Purl stated that she will send this information through the Health Commission Secretary.

Commissioner Christian stated that although the Davies pool is not legally under the DA, the community has consistently told the Health Commission how necessary community access is for their health and wellbeing. She wonders what barriers can be removed to enable community use of the pool.

Commissioner Bernal joins the other Commissioners in encouraging CPMC to lean into the spirit of the DA agreement, even in areas in which they are found to be technically in compliance. He noted urgent needs of medical services in the Tenderloin, subacute beds in San Francisco, and labor and delivery services.

The meeting was adjourned at 11:59am.